

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**CIVIL MINUTES – GENERAL**

Case No. LA CV15-08830 JAK (KSx)

Date June 20, 2016

Title Voice International, Inc., et al. v. Oppenheimer Cine Rentals, LLC, et al.

Present: The Honorable JOHN A. KRONSTADT, UNITED STATES DISTRICT JUDGE

Andrea Keifer

Alex Joko

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Robert J. Lauson

James Doroshov (via teleconference)

David Grober, pro se (via teleconference)

Proceedings: SCHEDULING CONFERENCE

The scheduling conference is held. Counsel for Plaintiff Voice International, Inc. ("Voice") has been filing pleadings on behalf of his client as well as David Grober, notwithstanding that Grober is self-represented in this action. Grober seeks a hybrid representation where he represents himself and counsel for Voice may speak on his behalf. The Court informs Grober that he may either retain counsel or represent himself; that he may not do both by electing when to do one or the other. Absent the filing of a notice of retention of counsel, Grober remains a self-represented party and shall file all documents and comply with all other requirements.

The Court confers with counsel regarding the status of two other similar cases: LA CV04-08604 JAK (DTBx) and LA CV07-07553 SGL (OPx) (the "Related Cases"). The Court notes that a notice was filed with respect to the relationship of this action to the Related Cases on December 10, 2015. Dkt. 15. It has not yet been determined whether Judge Jack Zouhary, who is a District Judge in Ohio, will be accepting or declining the transfer of this action since he is no longer serving as a visiting judge for this District.¹

The Court confers with counsel regarding their Joint Report. Dkt. 35. Plaintiffs filed a First Amended Complaint (Dkt. 36) ("FAC"). Defendants note that it adds new parties who have not appeared. Defendants also point out that the filing is procedurally deficient because neither a motion for leave to file it, or a stipulation with Defendants to do so was presented or granted. Therefore, Defendants request to have the FAC stricken. Plaintiff believes the FAC was properly filed because Defendants had not yet answered the Complaint and suggests that any violation was inadvertent. In an effort to save resources, facilitate efficient proceedings given the latitude for amending complaints (Fed. R. Civ. P. 15), and permit a meaningful early mediation with all parties, the Court determines that the FAC will not be stricken.

¹ At the conclusion of the hearing, it was confirmed that this action will remain with this Court and not be transferred to Judge Zouhary. Under the administrative practice in this District, transfers do not proceed as to a bench officer who was sitting here by designation from another District, particularly when years separate the respective commencement of the potentially related actions.

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Plaintiff shall serve any new Defendants named in the FAC forthwith and file a proof of service as to each. The Court grants the parties request to participate in private mediation, which is ordered to be completed on or before September 30, 2016. That mediation will include all parties named in the FAC. The setting of further dates in this action is deferred given that new parties are now named and the possibility of an early resolution. To facilitate that process, on or before July 18, 2016, counsel shall confer and file a joint report regarding: (i) the parties' respective and/or collective views on proposed dates as set forth in an amended Schedule of Pretrial and Trial Dates (Schedule A); (ii) the agreed upon private neutral and scheduled date for the mediation; and (iii) what discovery needs to be completed in order to have a meaningful mediation, and how long it will take for any corresponding, agreed upon discovery. Upon review of the report, the Court will determine how to proceed with respect to scheduling in this matter. Counsel and parties are urged to work collaboratively in connection with a resolution process given the economic and related benefits that can result from an early resolution.

IT IS SO ORDERED.

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